

REMARKS

The Examiner's continued attention to the present application is noted with appreciation.

The Examiner objected to claim 53 for containing an improper dependency. Claim 53 has been amended to recite the proper dependency.

The Examiner rejected claims 1, 27-36, 38-40, 42-49, and 51 under 35 U.S.C. § 102 as being anticipated by Fowler et al. This rejection is traversed. Nowhere in Fowler et al. is there any language which would tend to suggest that Fowler "is programmable exclusively through a plurality of the power delivery conductors", as claimed by Applicants. This is because Fowler et al. is not directed to a generic adapter which can be mass-produced and later programmed for a specific task using nothing more than the power delivery conductors. Rather, Fowler is directed to a "modular unit [having] a microprocessor chip having internal program logic for analyzing the time period of current delivery to an appliance plugged into the unit and/or amount of electrical energy being consumed by the appliance." (Fowler at Col. 1, lines 29-33). As stated in that language, and as indicated throughout Fowler et al.'s patent, the microprocessor chip already has internal program logic, (see Col. 2 lines 7-9 stating "central processor 130 having the FIG. 2 program logic therein"; and Col. 2, lines 37-39 stating "time and current information being received by the control processor 130 is processed by the program logic shown in FIG. 2"). Accordingly, the control logic or "program" is already contained within Fowler et al.'s unit and is not later programmed through a plurality of power delivery conductors. A modular unit which already has internal program logic contained within it does not anticipate Applicants programmable appliance controller, which is programmable exclusive through a plurality of power delivery conductors. Because Fowler et al. fail to describe a programmable appliance controller which is programmable exclusively through a plurality of power delivery conductors, as claimed by Applicants, Applicants independent claims 1 and 42, as well as the dependent claims thereof are thus allowable.

The Examiner rejected claims 52-54 under 35 U.S.C. § 102(b) as being anticipated by Chang. Independent claim 52 has been amended to recite that the electrostatic discharge protection diodes are internal to the microcontroller. Support for this amendment can be found at numerous places throughout

the specification, including from page 9, line 6, to page 10, line 10. Applicants believe this amendment better clarifies Applicants' invention and thus further distinguishes it from Chang, in that Applicant's claims 52-54 are directed to an invention wherein electrostatic discharge protection diodes, which are internal to a microcontroller, are used to provide a source of direct current for the microcontroller. As can easily be seen, Chan makes no mention of using electrostatic protection diodes which are internal to a microcontroller to provide a source of direct current for the microcontroller.

The Examiner rejected claims 37 and 50 under 35 U.S.C. § 103(a) as being unpatentable over Fowler et al. in view of Chang. As previously stated, Fowler fails to disclose a programmable appliance controller which can be programmed through a plurality of power delivery conductors as claimed by applicant. This portion of Applicant's independent claims is also not described by Chang. Because none of Fowler et al, Chang, or any combination thereof disclose a programmable appliance controller which is programmable through a plurality of power delivery conductors, Applicant's pending claims are thus allowable over the combination of those references.

Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 13-4213.

An earnest attempt has been made to respond to each and every ground of rejection advanced by the Examiner, without introduction of new matter or raising new issues. However, should the Examiner have any queries, suggestions or comments relating to a speedy disposition of the application, the Examiner is invited to call the undersigned.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,

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